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09/852,336	05/08/2001	James Duncan Work	4938P001	4814

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EXAMINER

CHEA, PHILIP J

ART UNIT PAPER NUMBER

2153

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/852,336

Applicant(s)

WORK, JAMES DUNCAN

Examiner

Philip J. Chea

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 148-175 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 148-175 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/15/04</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This Action is in response to an Amendment file March 7, 2005. Claims 148-175 are currently pending of which Claims 148-175 are new. Any rejection not set forth below has been overcome by the current Amendment.

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 12/15/04 was filed after the mailing date on 12/20/04. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 148-161 and 163-175 are rejected under 35 U.S.C. 102(e) as being anticipated by Takacs (WO 01/077793).

As per claim 148, Takacs discloses a computer-implemented method, comprising reporting matches to searches initiated by a searcher so long as access control criteria are met (see page 12, lines 16-24), the matches including potential targets satisfying one or more search criteria defined for the searches, and access control criteria (i) being selectably controllable by any of one or more persons in one or more chains of person-to-person relationships connecting the searcher and the potential targets

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(see page 12, lines 7-15), and (ii) defining attributes of such one or more persons and such persons' contacts that may be shared with others (see page 23, lines 10-21).

As per claim 149, Takacs further discloses that one attribute defined by the access control criteria establishes connection strengths for person-to-person relationships and wherein said search criteria defines a minimum connection strength for a person-to-person relationship that is required between persons forming said one or more chains of person-to-person relationships connecting the searcher and the potential targets (see page 14, lines 1-9, where minimum connection strength is considered a first level).

As per claim 150, Takacs further discloses at least one attribute defined by the access control criteria comprises an indication of a connection strength for at least one of the person-to-person relationships between persons forming said one or more chains of person-to-person relationships (see page 14, lines 1-9).

As per claim 151, Takacs further discloses that search criteria include a connection threshold specified by the searcher, the connection threshold indicating a maximum number of person-to-person relationships to be allowed in establishing said one or more chains of person-to-person relationships connecting the searcher and the potential targets (see page 14, lines 1-9, where maximum number is considered an entire trusted system).

As per claim 152, Takacs further discloses access control criteria comprise a connection threshold indicating a maximum number of person-to-person relationships to be allowed in establishing said one or more chains of person-to-person relationships (see page 14, lines 1-9).

As per claim 153, Takacs further discloses that one attribute defined by access control criteria establishes whether personal communication between the searcher and a corresponding connecting individual is required prior to direct contact between the searcher and the target (see page 9, lines 1-16).

As per claim 154, Takacs further discloses that access control criteria comprise hierarchical security levels for personal information (see pages 26 and 27, lines 21-24 and 1-6).

As per claim 155, Takacs further discloses that matches are reported only as long as a connection between each person associated with said one or more person-to-person relationships

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connecting the searcher and the potential targets satisfies one attribute of the access control criteria established by a next subsequent connector in a connection path between the searcher and potential target (see page 15, lines 1-7).

As per claim 156, Takacs further discloses reporting matches to searches initiated by a searcher so long as access control criteria are met further comprises autonomously brokering connections between the searcher and the potential target so as to provide information regarding the one or more persons in the one or more chains of person-to-person relationships connecting the searcher and the potential targets (see page 6, lines 3-16).

As per claim 157, Takacs further discloses that autonomously brokering connections between the searcher and the potential target further comprises autonomously determining whether or not a connecting individual in an inter-personal connection path from the searcher to the target is a member of a group to which a succeeding connector in the path has granted access to the succeeding connector's contact information (see page 15, lines 1-7).

As per claim 158, Takacs further discloses that autonomously brokering connections between the searcher and the potential target further comprises brokering, in accordance with one or more instructions supplied by any one or more connecting individuals in an inter-personal connection path from the searcher to a potential target, where such instructions refer to attributes of relationships between any two or more said persons in said chains (see page 20, lines 10-18).

As per claim 159, Takacs further discloses that attributes of relationships include one or more of the following levels of trust, levels of access, levels of privacy, levels of security, length of relationship, frequency of interaction, closeness of relationship, nature of relationship (see page 21, lines 11-17).

As per claim 160, Takacs further discloses attributes of such one or more persons include access control provisions of organizations to which such persons belong (see page 30, lines 13-20).

As per claim 161, Takacs further discloses that one attribute of the access control criteria determines whether a third party evaluation report is accessible to the searcher, said third party evaluation report (i) pertaining to a person forming a person-to-person relationship connecting the

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searcher and the potential target, and (ii) being integrated with a personal profile of said person forming a person-to-person relationship connecting the searcher and the potential target (see page 42, lines 6-16).

As per claim 163, Takacs further discloses that a potential target comprises an individual who has previously made a request for the searcher's attention (see page 15, lines 13-23).

As per claim 164, Takacs discloses a computer-implemented method, comprising reporting matches to search criteria specified in a search initiated by a searcher so long as the number of person-to-person connections in a chain of person-to-person connections connecting the searcher and a potential target is within a specified connection threshold, the specified connection threshold indicating a maximum number of person-to-person connections to be allowed in establishing said chain of person-to-person connections connecting the searcher and the potential target (see pages 13 and 14, lines 18-24 and 1-9, where maximum number is considered an entire trusted system).

As per claim 165, Takacs further discloses that the specified connection threshold is specified in the search criteria by the searcher (see pages 13 and 14, lines 18-24 and 1-9, where maximum number is considered an entire trusted system).

As per claim 166, Takacs further discloses that the specified connection threshold is established by the potential target (see page 14, lines 1-9).

As per claim 167, Takacs further discloses that the specified connection threshold is established by each person in said chain of person-to-person connections connecting the searcher and the potential target (see page 14, lines 1-9).

As per claim 168, Takacs further discloses that some or all of the matches are not reported unless permission for said reporting is granted by one or more owners of profiles in a chain of person-to-person connections connecting the searcher and the potential target to which the match pertains (see page 9, lines 1-21).

As per claim 169, Takacs further discloses that matches are searched for according to degrees of trust between contacts specified through user profile criteria (see page 32, lines 16-22).

As per claim 170, Takacs further discloses that reporting matches includes reporting information regarding individuals represented by the matches according to access control instructions provided by

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those individuals concerning levels of details of their personal information which may be revealed to others (see Fig 19).

As per claim 171, Takacs further discloses reporting matches includes providing a third-party evaluation of the potential target, said third-party evaluation integrated with a personal profile of the potential target (see page 42, lines 6-16).

As per claim 172, Takacs discloses a computer-implemented method, comprising reporting matches to search criteria specified in a search initiated by a searcher so long as a connection strength between each two people forming a person-to-person connection in a chain of person-to-person connections between the searcher and a potential target exceeds a connection strength threshold (see page 38, lines 4-9), said connection strength being an attribute of access control criteria that are selectably controllable by any of one or more persons in said chain of person-to-person connections between the searcher and the potential target (see page 12, lines 7-15).

As per claim 173, Takacs further discloses that the connection strength threshold is included in the search criteria specified by the searcher (see pages 13 and 14, lines 18-24 and 1-9).

As per claim 174, Takacs further discloses that the connection strength threshold is established by the potential target (see page 14, lines 1-9).

As per claim 175, Takacs further discloses that the connection strength threshold determines the minimum connection strength required between two people forming a person-to-person connection in a chain of person-to-person connections between the searcher and the potential target (see page 14, lines 1-9, where minimum connection strength is considered a first level).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claim 162 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takacs as applied to claim 161 above.

Takacs discloses a third party evaluation report (i) pertaining to a person forming a person-to-person relationship connecting a searcher and a potential target, and (ii) being integrated with a personal profile of said person forming a person-to-person relationship connecting the searcher and the potential target (see page 42, lines 6-16, where third party evaluation is considered competency level).

Although the system disclosed by Takacs shows substantial features of the claimed invention (discussed above), it fails to disclose that the third party evaluation report is not accessible to the person forming a person-to-person relationship connecting the searcher and the potential target.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system. Takacs shows that a person can hide as much information about himself or herself as they want (see page 16, lines 1-5).

Given the teaching of Takacs, a person having ordinary skill in the art would have readily recognized the desirability and advantages of hiding the third party evaluation report from the person forming a person-to-person relationship connecting the searcher and the potential target so that a person forming a person-to person relationship does not know about how his competency was rated.

Response to Arguments

6. Applicant's arguments with respect to claims 148-175 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

O'Neil; Kevin et al.	US 5987440 A
Rozen; Michael J. et al.	US 6073106 A
Bergh; Christopher P. et al.	US 6112186 A

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Rajarajan; Vij et al.

US 6363394 B1

Jaipuria, Amit et al.

US 20020091667 A1

Deguchi; Hikaru et al.

US 6879985 B2

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J. Chea whose telephone number is 571-272-3951. The examiner can normally be reached on M-F 7:00-4:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Philip J Chea
Examiner
Art Unit 2153

PJC 5/19/05



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